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December 10, 1999

Date

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TECH CENTER 1600/29

Applicants : Martin A. Cheever and Mary L. Disis
Application No. : 09/167,516
Filed : October 6, 1998
For : COMPOUNDS FOR ELICITING OR ENHANCING IMMUNE
REACTIVITY TO HER-2/*neu* PROTEIN FOR PREVENTION
OR TREATMENT OF MALIGNANCIES IN WHICH THE
HER-2/*neu* ONCOGENE IS ASSOCIATED



Examiner : Nancy A. Johnson, Ph.D.
Art Unit : 1642
Docket No. : 920010.448C8
Date : December 10, 1999

Assistant Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO THE COMMUNICATION FROM THE EXAMINER

Sir:

In response to the Communication from the Examiner, dated November 10, 1999, please find enclosed the following: A Request to Use Computer Readable Form from Parent Application; a declaration regarding the computer readable form; and a Copy of the Notice to Comply.

Respectfully submitted,

SEED and BERRY LLP

Richard G. Sharkey
Registration No. 32,629

RGS:ljt

Enclosures:

Postcard

Request to use Computer Readable Form from Parent Application

Declaration Regarding the Computer Readable Form

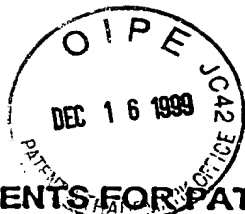
Copy of Notice to Comply

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Application No.: 09/167,516

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☒ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other: Applicant may follow the format of the attached sample statement to request that the CRF filed in the parent application be used to create a CRF in this application.

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☐ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

For Patent software help, call (703) 308-6856

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